IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

KELLIE WARD,)	
Plaintiff,)	
VS.)	NO. CIV-09-1333-D
	j	1,0,01,02,00,1000,2
MICHAEL J. ASTRUE, Commissioner,)	
Social Security Administration,)	
)	
Defendant.		

ORDER

Plaintiff brought this action pursuant to 42 U.S.C. §405(g) for review of the decision denying her application for disability benefits and supplemental security income payments. The matter was referred to United States Magistrate Judge Valerie Couch for initial proceedings in accordance with 28 U.S.C. §636 (b)(1)(B). The parties fully briefed their respective positions and, on August 31, 2010, the Magistrate Judge filed a Report and Recommendation [Doc. No. 20] in which she recommended the Court reverse the decision of the Commissioner of the Social Security Administration and remand this matter for further proceedings.

In the Report and Recommendation, the Magistrate Judge advised the parties of their right to file objections to the same and scheduled a September 21, 2010 deadline for filing such objections. She also cautioned the parties that a failure to object would constitute a waiver of the right to appeal the factual and legal issues addressed in the Report and Recommendation. The deadline for filing objections has expired; to date, neither party has filed objections or sought an extension of time in which to do so. Accordingly, the Report and Recommendation is adopted as

though fully set forth herein.

In accordance with the foregoing, the decision of the Commissioner denying Plaintiff's application for benefits is REVERSED, and this matter is REMANDED to the Commissioner for further proceedings as set forth in the Report and Recommendation.

IT IS SO ORDERED this <u>12th</u> day of October, 2010.

TIMOTHY D. DEGIUSTI

UNITED STATES DISTRICT JUDGE